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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

NATIONAL URBAN LEAGUE, *et al.*,

Plaintiff,

v.

WILBUR L. ROSS, JR., *et al.*,

Defendants.

Case No. 5:20-cv-05799-LHK

**DEFENDANTS' RESPONSE TO THE
COURT'S ORDER, ECF 269**

1 Pursuant to the Court's Order, ECF 269, Defendants respectfully submit the attached
2 declaration of James T. Christy, which addresses the communications the Court has received.

3 This declaration is the eighth Mr. Christy has submitted in this matter addressing questions
4 or communications. As each of those declarations has detailed, the communications received by
5 the Court do not reflect any violation of the Temporary Restraining Order or Preliminary
6 Injunction; rather, those communications reflect either misunderstandings of Census Bureau
7 operations or individual personnel disputes. Defendants will continue to comply with any Court
8 order to address future communications. However, as Mr. Christy described in the declaration
9 submitted earlier today, ECF 260-1, responding to these communications has already "detracted
10 significantly from [his] duties as the Assistant Director for Field Operations at the U.S. Census
11 Bureau, and [his] ability to monitor key operations" of the census. Christy Decl. ¶ 15, ECF No.
12 260-1. Indeed, Mr. Christy estimates that, prior to the latest set of responses, he and his staff
13 "devoted over 100 staff hours to research the[] complaints," which has involved "confirming
14 locations, progress numbers, status of employment, interviewing staff through the Nation and
15 producing documentation." *Id.* ¶ 14. Respectfully, this burden is unsustainable.

16 Defendants believe that a more appropriate (and more efficient) course would be to direct
17 any future communications or complaints to the Commerce Department's Office of Inspector
18 General. *See* Christy Decl. ¶ 21, ECF No. 244. Plaintiffs are also free to address concerns that
19 they may have with regard to these communications in an appropriate motion, as they have already
20 done, but the Court should not require further seriatim responses.

1 DATED: September 30, 2020

Respectfully submitted,

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9 /s/ Alexander V. Sverdlov
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CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of September, 2020, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing.

/s/ Alexander V. Sverdlov
ALEXANDER V. SVERDLOV